

WESTERN AUSTRALIA

UNITING CHURCH IN AUSTRALIA AMENDMENT ACT 1991

No. 42 of 1991

AN ACT to amend the *Uniting Church in Australia Act 1976*.

[Assented to 12 December 1991]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Uniting Church in Australia Amendment Act 1991*.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Principal Act

3. In this Act the *Uniting Church in Australia Act 1976** is referred to as the principal Act.

[*Act No. 139 of 1976.]

Sections 3 and 4 repealed

4. Sections 3 and 4 of the principal Act are repealed.

Heading to Part IV amended

5. The heading to Part IV of the principal Act is amended by deleting "ACQUISITION AND VESTING OF".

Section 24A inserted

6. After section 24 of the principal Act the following section is inserted—

**Power to sell, lease or mortgage lands
granted by the Crown upon trust**

" 24A. (1) Subject to subsection (2), the Trust may in respect of any land granted by the Crown and held by the Trust in trust for the Church—

- (a) sell and transfer or otherwise assure any of that land to a purchaser, freed and discharged from any trusts to which the land is subject;
- (b) mortgage, or otherwise encumber, any of that land and for the purposes of that mortgage or encumbrance transfer any of that land, freed and discharged from any trusts to which the land is subject;

- (c) notwithstanding any trusts to which the land is subject, lease any of that land for any term, with or without right of renewal, subject to any covenants, conditions and agreements as the Trust thinks fit.

(2) In respect of any land granted by the Crown without pecuniary consideration—

- (a) a transfer or other assurance on sale;
- (b) a mortgage or other encumbrance; or
- (c) a lease for a term exceeding 21 years,

under subsection (1) shall not be valid unless approved, and countersigned, by the Governor. ”.
